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Letter dated 28 June 2010 from the Chair of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism addressed to the President of the Security Council

The Counter-Terrorism Committee has received the attached report from Palau, submitted pursuant to resolution 1624 (2005) (see annex).

I would be grateful if you could arrange for the present letter and its annex to be circulated as a document of the Security Council.

(*Signed*) Ertuğrul **Apakan**
Chair
Security Council Committee established
pursuant to resolution 1373 (2001)
concerning counter-terrorism

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Annex

Letter dated 14 August 2007 from the Permanent Representative of Palau to the United Nations addressed to the Chair of the Counter-Terrorism Committee

The Permanent Representative of Palau to the United Nations presents his compliments to the Committee and has the honour to submit Palau's initial report on Security Council resolution 1624 (2005) (see enclosure).

(*Signed*) Stuart **Beck**
Permanent Representative of Palau
to the United Nations

Enclosure

Report of Palau on Security Council resolution 1624 (2005)

Subparagraph 1.1

What measures does Palau have in place to prohibit by law and to prevent incitement to commit a terrorist act or acts? What further steps, if any, are under consideration?

The Terrorism Act, currently pending before the Palauan legislature, would prohibit by law, and make it a crime, to incite to commit or carry out a terrorist act. The Terrorism Act defines "engaging in" terrorism as including behaviour to incite others to commit or carry out a terrorism act. Additionally, Palau has already implemented legislation that makes incitement of specific acts of terrorism, committed on a Palauan vessel, a crime, punishable by five years imprisonment.

Finally, the Government of Palau is presently reviewing whether additional measures are required to fully implement Security Council resolution 1624 (2005).

Subparagraph 1.2

What measures does Palau take to deny safe haven to any persons with respect to whom there is credible and relevant information giving serious reasons for considering that they have been guilty of incitement to commit a terrorist act or acts?

The Terrorism Act, once implemented, will deny entry to individuals who have engaged in terrorism, provided there is probable cause to believe that they have done so.

Subparagraph 1.3

How does Palau cooperate with other States in strengthening the security of its international borders with a view to preventing those guilty of incitement to commit a terrorist act or acts from entering their territory, including by combating fraudulent travel documents and, to the extent attainable, by enhancing terrorist screening and passenger security procedures?

The pending terrorism legislation provides authorization and encourages Palauan officials to share intelligence information relating to terrorism, and the incitement thereof, with foreign officials. Additionally, the Mutual Assistance in Criminal Matters Act of 2001 ("Mutual Assistance Act") authorizes Palauan Authorities to request assistance from the appropriate authority of a foreign State in investigating serious offences including terrorism, and the incitement thereof. Additionally, the Mutual Assistance Act authorizes the Attorney General of Palau, provided certain conditions are met, to honour requests for assistance from foreign States in investigating serious crimes, including those relating to terrorism.

Additionally, Palau is working with the Counter-Terrorism Executive Directorate to obtain technology and training to better combat fraudulent travel documents. Palau believes that this technology and training will improve its ability to cooperate with other States in combating fraudulent travel documents and, to the extent possible, enhancing terrorist screening and passenger security procedures.

Subparagraph 1.4

What international efforts is Palau participating in or considering participating in/initiating in order to enhance dialogue and broaden understanding among civilizations in an effort to prevent the indiscriminate targeting of different religions and cultures?

Palau is not currently participating in any international efforts to broaden the understanding among civilizations in an effort to prevent the indiscriminate targeting of different religions and cultures. Palau is a small country and has not experienced inter-cultural and intra-religious tensions. Therefore, Palau has chosen to focus its limited resources on implementing the central components of resolution 1624 (2005) and is currently considering what additional efforts are necessary.

Subparagraph 1.5

What steps is Palau taking to counter incitement of terrorist acts motivated by extremism and intolerance and to prevent subversion of educational, cultural and religious institutions by terrorists and their supporters?

The Government of Palau is not aware of any attempts by extremists to subvert educational, cultural or religious institutions for the purpose of inciting terrorism. Under the proposed anti-terrorism legislation any attempt to do so would be a crime, punishable by imprisonment.

Subparagraph 1.6

What is Palau doing to ensure that any measures taken to implement paragraphs 1, 2 and 3 of resolution 1624 (2005) comply with all of its obligations under international law, in particular international human rights law, refugee law, and humanitarian law?

The Government of Palau takes seriously its obligations under international law, including international human rights, humanitarian and refugee law.